

Acton Police Department

InterDepartmental Memo

SELECTMEN'S BUSINESS
4/28/03

12

From: Frank J. Widmayer, Chief of Police

Date: April 18, 2003

To: Don Johnson, Town Manager

Subj: Alcohol compliance check

Attached is a copy of a report detailing the actions of Det. Scott Howe in an alcohol service compliance check of the establishments licensed to serve in Acton. A photograph of the police intern is also attached.

I recommend that the Board of Selectmen take any action they deem appropriate on the one establishment found in violation.



Frank J. Widmayer
Chief of Police

Acton Police Department
Incident Report

April 18, 2003

Friday 14:23

Single Narrative

INCIDENT LOCAL #	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
I0306342	PATROL INITIATED POLICE STATION 365 MAIN ST	HOWE	04/07/2003, 15:07 04/07/2003, 15:07 04/07/2003, 15:07	MERRILL COWAN ALCOHOL STING
9	Cross: 6 ISAAC DAVIS WY HAYWARD RD @383 ACTON, MA, 01720 (01) INVESTIGATION		04/07/2003, 18:10	BY-LAW VIOL CT: MERRILL
<p>Reported as: BY-LAW VIOL Found as: BY-LAW VIOL Domestic Abuse: No</p> <p align="right">COPY</p> <p>Dispatcher Remarks: 45SH/INTERN ALCOHOL STING AT THIS TIME. VIOLATION AT 77 GREAT RD</p> <p>OTHER HERLIHY, KEITH M License: None (Male) 26 LEXINGTON RD M0301449 DRACUT MA 01826 Phone: None Recorded Race: WHI DOB: 05/18/1982 Age: 20 Commt: APD INTERN/ ALCOHOL COMPLIANCE CHECK</p> <p>SUSPECT ATLANTIC SEA GRILL License: None 77 GREAT RD M9803426 ACTON MA 01720 Phone: 263-3163 DOB: None Recorded Commt: SOLD ALCOHOL TO HERLIHY/UNDERAGE</p> <p>Narrative(s):</p> <p>Narr. 1: DET. SCOTT HOWE Division: None Status: Open [I0306342] Title: ALCOHOL COMPLIANCE Entered: DET. SCOTT HOWE Date: 04/08/03 Reviewed: No officer Edit: 04/08/03</p> <p>ON 4/7/03 AT APPROXIMATELY 1507 HRS., MYSELF AND DET. RENTSCHLER, WITH THE ASSISTANCE OF KEITH HERLIHY 5/18/82, CONDUCTED AN ALCOHOL SALES COMPLIANCE CHECK. MR. HERLIHY WAS INSTRUCTED TO ENTER THE PREMISES AND REQUEST AN ALCOHOLIC BEVERAGE. MR. HERLIHY WAS INSTRUCTED THAT IF HE WAS ASKED FOR IDENTIFICATION, HE WAS TO INFORM THE CLERK THAT HE DID NOT HAVE ANY. MR. HERLIHY WAS INSTRUCTED THAT AT NO TIME WAS HE TO ATTEMPT TO DECEIVE THE CLERK AND WAS TO ANSWER THEIR QUESTIONS TRUTHFULLY. MR. HERLIHY WAS INSTRUCTED TO IMMEDIATELY LEAVE THE PREMISES AND NOTIFY US IF HE WAS SERVED ALCOHOL. ATTACHED TO THIS REPORT ARE A COPY OF MR. HERLIHY'S LICENSE AND A POLAROID PHOTOGRAPH TAKEN BY ME ON THIS DATE.</p> <p>I GAVE MR. HERLIHY \$60 (THREE TWENTY DOLLAR BILLS). I ASKED MR. HERLIHY NOT TO HAVE ANYTHING ELSE ON HIS PERSON. MR. HERLIHY PLACED ALL OF HIS POSSESSIONS ON MY DESK AT THE POLICE STATION.</p> <p>WE COMPLETED 17 ESTABLISHMENTS WHILE 3 WERE CLOSED AT THE TIME OF OUR CHECK. LISTED BELOW IS THE ESTABLISHMENT WHO WAS FOUND NOT TO BE IN COMPLIANCE. WE SPOKE WITH THE MANAGER AND IDENTIFIED THE CLERK WHO PROVIDED THE ALCOHOL.</p>				

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Incident Report

April 18, 2003

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Single Narrative

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
Narrative	1 (continued)	By: DET. SCOTT HOWE	Incident I0306342	
	ATLANTIC SEA GRILL 3:44PM CLERK: DIANA MORSE MANAGER: ALI ZOSHERAFATAIN ASKED FOR BUD LIGHT BEER, NEVER ASKED FOR I.D. - DID NOT RECEIVE RECEIPT FOR \$3.95			
	RESPECTFULLY SUBMITTED,			
	DET. SCOTT J. HOWE #45 ACTON POLICE DEPARTMENT			

Massachusetts **Driver's License**

05-18-82 Date of Birth	05-18-04 Expires	M Sex	5'08" Height	D Class	029625599 Number
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Under 21 until
05-18-03

1
Restrict

Junior Operator
until 05-18-00

HERLIHY
KETH M
26 LEXINGTON RD
DRACUT, MA
01926-4148

David J. ... Registrar



Keith Herlihy

CJIS 926004 04/08/2003 0845 S1599/6599.

TRP

**** CJIS DISPLAY FOR LACT01 ON 04/08/03 08:45 EDT

*** RECORD NOT FOUND

MSG ID = 02.0361

KEYS USED = REF/ NIC/ LOJACK REPLY CODE/
LIC/ LIS/ LIT/ VIN/
NAM/ DOB/ RAC/ SEX/
SOC/ OLN/ 029625599 WAR/

ALARS

CJIS 926004 04/08/2003 0846 S1599/6599.

MASSACHUSETTS REGISTRY OF MOTOR VEHICLES

04/08/03 0845

--- DRIVER INQUIRY ---

KEYS USED: 029625599

OLN:029625599

STATUS:ACT

SOC: 029625599

CDL STATUS:

REASON:

NAME L: HERLIHY

F: KEITH

M: M

DOB: 05/18/1982

SEX: M HGT: 5 08

RESIDENCE:

CITY:

ST: ZIP:

BLDG/APT:

MAIL ADDR: 26 LEXINGTON RD

CITY: DRACUT

ST: MA ZIP: 01826-4148

BLDG/APT:

DRIVERS ED: Y MAB REVIEW: N MILITARY: N

PREVIOUS NAME L: F: M:

RESTRICTIONS: TIME: TO

TYPE	CLASS	ISSUE DATE	EXP DATE
L	D	05/15/2000	05/18/2004